

# BOARD OF SELECTMEN MEETING

Tuesday, August 25, 2015

A meeting of the Rockport Board of Selectmen was held at 7pm on Tuesday, August 25, 2015 in Conference Room A in Town Hall. Present were five selectpersons, the Town Administrator and the Asst. Town Administrator.

7:00 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Interview of Dick Lourie as a new Street Performer: No vote taken. He said he is a musician; plays the trumpet and plays some of the standards from the 30's, 40's, and 50's. His music is amplified which is not permitted in the policy. Selectperson Lucas said these requirements were put in the policy because the intent was for those who wanted to enjoy some music to be able to stand close enough to hear it, and those that don't want to listen to it, don't have to. It was suggested that the applicant come back at the next meeting to provide an example of his performance, that portion of the meeting will be held outdoors. Selectperson Lucas said she would not care to make an exception to the policy at this point because so many street performers have been asked to comply with it.

Interview of Dick  
Lourie as a new  
Street Performer  
No Vote Taken

Approval of Minutes of July 14, 2015: Selectperson Sheedy moved that the Board of Selectmen approve the minutes of July 14, 2015, Selectperson Lucas seconded, Vote: 3-0. Selectpersons Murphy and Wilkinson abstained from voting as they were not present on 7/14/15.

Approval of 7/14/15  
Minutes  
Motion Approved

Approval of Minutes of August 11, 2015: Selectperson Wilkinson moved that the Board of Selectmen approve the minutes of August 11, 2015, Selectperson Murphy seconded, Vote: 4-0. Selectperson Sheedy abstained from voting as she was not present on 8/11/15. One revision to the minutes is under public comment period; add that it was recommended that Mr. Gladstone go to the Town Administrator's office.

Approval of 8/11/15  
Minutes  
Motion Approved

Selectmen Updates and Liaison Reports: Selectperson Lucas commented on a Huffington Post piece on Rockport that was very positive. Selectperson Wilkinson said many of these articles point out that not only is Rockport a great place to visit but it's a great place to live. Selectperson Murphy said that The Boston Magazine rated the Rockport school district #34 in the state out of the top 50. Selectperson Murphy said he has heard such positive comments about the music at My Place by the Sea. Selectperson Sheedy said she has heard some complaints regarding the noise level.

Selectmen Updates  
and Liaison Reports

## Public Comment Period:

- T. Arsenian, 95 Granite St., spoke on the level of noise at My Place by the Sea, he recommended members of the Board visit Granite Pier on a Wednesday evening to assess the noise.
- He also commented on Article P on the Fall Town Meeting warrant regarding granting easements on town property for the MBTA power upgrade. He is requesting that the Board of Selectmen follow J. Gardner's suggestion that the Board require the MBTA to grant an access easement from the MBTA property to Evan's Field. He said if the board doesn't require such an

Public Comment  
Period

easement, he would like to offer an amendment to Article P and would need assistance from Town Counsel.

- Frederick Tarr, 154 Main Street, said the easement problem is a problem and should be explained to voters before Fall Town Meeting. F. Tarr said the town flag is prohibited from being displayed in Rockport. He recommended it be used for the 175th Anniversary celebration of Rockport. The Asst. Town Administrator said the flag is hanging upstairs in Rockport Town Hall and they have been trying to have it duplicated.
- Tom Mikus, Marmion Way and the Rights of Way Committee, said he is eager to get going on the town webpage. The Asst. Town Administrator said the webpage is a work in progress, and we are moving on it but it is not ready to be rolled out yet. Selectperson Wilkinson requested that a more formal timeline be distributed to departments and committees to give people a sense of the status. He also spoke on the Penzance Road paving project, he said the Conservation Commission members each said it was a bad idea and the Board of Selectmen should consider that in their decision.

Town Administrator's  
Report

Town Administrator's Report:

- The Board of Selectmen received information regarding the Seaport Economic Counsel; \$1M is available for the various communities. We are in the process of looking at timelines which we can go forward with; the first deadline is September 18, 2015. M. Vieira said matching funds are required.
- He said the Fall Town Meeting booklet is about to come out.
- Annual staff performance evaluations are in from all managers and they are being assessed regarding where staff members fall within the grading system.
- The finishing touches are being put on the RFP for 8 Marmion Way; it should be out around Labor Day. There will be information on a site visit in the RFP.
- The Granite Pier Committee is planning some improvements around the Park and Ride and Granite Pier. The Park and Ride numbers really increased this year, it was stated that some improvement on the signage would be beneficial. Chairperson Battistelli said she has seen progress with the buses stopping in less congested areas while waiting to adhere to their schedule as was requested when they were last before the Board.

7:25 Action List

Appointment of  
Lori Morrow to  
the Rights of Way  
Committee  
Motion Approved

- Appointment of Lori Morrow to the Rights of Way Committee: Selectperson Lucas moved that the Board of Selectmen appoint Lori Morrow as a member of the Rights of Way Committee for a three year term to expire on June 30, 2018, Selectperson Murphy seconded, Vote: 5-0.

Amendment to  
Senate Bill 46,  
Beer & Wine  
Licenses  
Motion Approved

- Amendment to Senate Bill 46 – Beer & Wine Licenses: Selectperson Sheedy moved that the Board of Selectmen approve the amendment to Senate Bill 46 – Section 2 that reads “Notwithstanding section 1 of chapter 470 of the acts of 2004, year-round and seasonal licenses for the sale of all alcoholic beverages to be drunk on the premises of restaurants issued or to be issued pursuant to said section 1 of said chapter 470 shall not be subject to the restriction imposed by said section 1 of said chapter 470 that requires service only to patrons of restaurants who are seated at tables or on stools for the consumption of meals, Selectperson Wilkinson seconded, Vote: 4-0.

Selectperson Lucas abstained as she is a restaurant owner in Rockport. Selectperson Murphy inquired about checking with the Town Clerk, and the March presidential primary, to be sure the town will be ready to follow the timeline.

Action List  
Continued

- Waiver of Option 3 of Selectmen's Memorial Bench Policy for Memorial Bench Request for the American Legion: Selectperson Murphy moved that the Board of Selectmen waive Option 3 of its Memorial Beach Policy to allow the placement of a wooden bench at the American Legion donated by the Rockport Rotary, Selectperson Sheedy seconded, Vote: 5-0.

Waiver of Option 3 of  
Selectmen's Memorial  
Bench Request for  
American Legion  
Motion Approved

Selectperson Wilkinson recommended we send a letter with a copy of the policy to the Legion so in the future they'll be sure to purchase benches that comply with the policy, those she said these benches are perfectly fine for this application.

- Penzance Road Project Support: Selectperson Wilkinson moved that the Selectmen support the DPW's proposed Penzance Road project and sign a letter of support to MassDEP, Selectperson Murphy seconded, Vote: 5-0.

Penzance Road  
Project Support  
Motion Approved

F. Tarr said the Conservation Commission looked at this already and this is not necessary. He said we'll have to do this every year because it gets washed out. Selectperson Wilkinson said the DPW has been trying to do this for years; they haven't been allowed to do any work. She said part of the road is paved and on the pond side, much has been washed over there. They would like to reformulate the dune on the beach side; then re-pave it. They would like to clean it out after storms; this is a heavily used road. She said the DPW, the police and fire for public safety have requested something be done. Selectperson Wilkinson said the DEP conducted a site visit, she attended it. M. Vieira said the goal is that the waves will not affect the road as much; all public safety departments would like to see this road paved. T. Arsenian said the concern about water rising and climate change, this will be perpetuated the same as before.

7:50 Discussion Items

Discussion Items

- Other Business/ Workshop Meeting Dates – postponed.
- 175th Anniversary of Rockport, it was recommended inviting the Rockport Exchange to an upcoming meeting.

8:00 Selectperson Murphy moved to adjourn, seconded by Selectperson Wilkinson, Vote: 5-0.

Items signed:

Letter to DEP re: Penzance

Letter to Sen. Bruce Tarr, re: Senate Bill No. 46